

MADISON COUNTY BOARD OF SUPERVISORS MEETING

Date: 6:00PM — Wednesday, January 5th, 2022
Location: Admin. Building Auditorium, 414 N. Main Street

MEETING #2 — January 5th

At a Joint Meeting between the Board of Supervisors and the Planning Commission on Wednesday, January 5th at 6:00PM in the Admin. Building Auditorium:

PRESENT: R. Clay Jackson, Chair
Carty Yowell, Vice-Chair
Charlotte Hoffman, Member
Dustin Dawson, Member
James Jewett, Member
Jonathon Weakley, County Administrator
Sean Gregg, County Attorney
Alan Berry, Deputy Clerk

ABSENT:

The Board of Supervisors came to order following the adjournment of the Planning Commission's portion of the meeting.

CALL TO ORDER, PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

DETERMINE PRESENCE OF A QUORUM/ADOPTION OF AGENDA

Chairman Jackson advised that a quorum was present.

Supervisor Hoffman made a motion to approve the agenda as presented, seconded by Supervisor Yowell. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

PUBLIC COMMENT

Chairman Jackson opened the floor to public comment. With there being no public comment being brought forward, the public comment opportunity was closed.

PUBLIC HEARING

- A. *Case No. S-01-22-1:* A subdivision request by John Robert and Allison Yeaman to subdivide an existing 155.9 acre A1 (agriculture) zoned parcel. The subdivision would create three “new” parcels, and a residual parcel. The parcels would be 38 acres, 10 acres, 71 acres and 32.8 acres. The subject parcel has not been subdivided in the last ten years. The parcel is identified on Madison County's Tax Maps as 63- 10 and is located on Jacks Shop Road. To-date the parcel does not contain a postal address.

Supervisor Hoffman made a motion to approve Case No. S-01-22-1, seconded by Supervisor Yowell. **Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).**

- B. **Case No. RZ-01-22-2:** Abdul and Najia Nawabe request to rezone a roughly five- acre parcel from A1 (agriculture) to B1 (business). If rezoned, the applicants intend to establish an automotive sales, repair, and servicing business on the parcel. The parcel is identified on Madison County's Tax Maps as 33-7c and is located on North Seminole Trail. To-date the parcel does not contain a postal address.

- *Chairman Jackson: Stated that it seemed like this case would go back to grandfathering and that the entrance issue would be up to legislative discretion.*

The County Attorney responded in the affirmative and also stated that the ordinance itself actually provided for the entrance in this case.

- *Supervisor Yowell: Stated that he had checked with a prior Zoning Administrator for the County and learned that this lot was created long before the ordinance. There may also have been an entrance already on the plat. Stated his opinion that it should be up to VDOT to decide if something is safe or not on the Route 29 Corridor and that he would be open to removing the language in the ordinance altogether and replacing it with VDOT's preference.*
- *Chairman Jackson: Asked that a discussion item be added to the agenda for the second meeting in January to discuss amending the ordinance for entrances on the Route 29 Corridor.*
- *Supervisor Jewett: Asked the applicants if the adjacent property owners have expressed any concerns to their proposed business activities.*

Supervisor Yowell made a motion to approve Case No. RZ-01-22-2 as recommended by the Planning Commission, seconded by Supervisor Dawson. **Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).**

- C. **Case No. RZ-01-22-3:** Madison County Holdings, LLC (Powell O'Bannon) requests to rezone a roughly 3-acre and 9-acre portion of a R1 zoned parcel to B1 (business) and R3 (multiple family residential) respectively. If rezoned, the applicant would develop a commercial site on the B1 zoned area, and multiple apartment buildings/structures containing no more than thirty-five (35) individual apartment units on the R3 zoned area. The subject 39-acre property is identified on Madison County's Tax Maps as 40-20 and is located on Fishback Road. To-date the parcel does not contain a postal address.

- *Supervisor Jewett: Asked if the layout presented by the County Planner was what Mr. O'Bannon had envisioned for the property.*

Mr. O'Bannon responded that it was what he had envisioned.

- *Supervisor Jewett: Asked if the single family dwellings would be on their own septic.*

Mr. O'Bannon responded that they would.

- *Supervisor Jewett: Stated that he was concerned about not having a set number of people with the worry being that it could cause a strain on the waste system. Asked if Mr. O'Bannon could give the Board some reassurances.*

Mr. O'Bannon responded that the apartments were single-bedroom and that they would monitor them for usage.

Supervisor Hoffman made a motion to approve Case No. RZ-01-22-3, seconded by Supervisor Dawson. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***

- D. ***Case No. OA-01-22-4:*** Amending the zoning ordinance, specifically adding an article 20-101B listed as *Housing, Temporary*. This article will define temporary housing as “*The temporary occupancy of a RV (recreational vehicle), meeting NFPA (National Fire Protection Association) standards, while a parcel’s principal dwelling is under construction, or necessary due to an unforeseen emergency or medical hardship. Occupancy may be allowable for up to 24 months, requires adherence to Virginia Department of Health Regulation, and must adhere to Article 15-B (Temporary Housing) of the zoning ordinance.*”
- *Supervisor Jewett: Asked the County Attorney if RVs would no longer be considered the primary resident of individuals who moved into their completed homes on the same property as the RV.*

The County Attorney responded in the affirmative.

The County Administrator commented that the RV would need to be disconnected as the primary resident which would be a part of the inspection process.

Supervisor Yowell made a motion to approve Case No. OA-01-22-4 as presented, seconded by Supervisor Hoffman. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***

- E. ***Case No. OA-01-22-5:*** Amending the zoning ordinance, specifically adding an article 15-B to be listed as *Temporary Housing*. This article (15-B Temporary Housing) will include articles 15-B-1 (Temporary Emergency Housing), 15-B-2 (Temporary Housing During New Construction), 15-B-3 (Medical Emergency Housing), and 15-B-4 (Additional Regulations and Considerations); each article contains a written description.

The County Planner stated that he would be open to bringing the RV question back before the Board in a condensed version for approval.

Supervisor Hoffman made a motion to approve Case No. OA-01-22-5, seconded by Supervisor Dawson. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***

- F. **Case No. OA-01-22-6:** Amending the Code of Ordinances of Madison County, Virginia, specifically Chapter 4 (amusement and entertainment) and deleting article II (outdoor musical and entertainment festivals) sections 4-19 through 4-29; all text in Article II and sections 4-19 through 4-29 shall be replaced with the word “reserved”. Further, amending the Code of Ordinances of Madison County, Virginia, specifically Chapter 4 (amusement and entertainment), and delete “amusement and entertainment” and replace the text in Chapter 4 to read “Chapter 4 – Large-Scale Outdoor Events”. The entire amended Chapter 4 (large-scale events) shall consist of an article 1 (general) and contain a section 1 through section 11.

Supervisor Yowell made a motion to approve Case No. OA-01-22-6 as recommended by the Planning Commission, seconded by Supervisor Jewett. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***

- G. **Case No. OA-01-22-7:** Amending the zoning ordinance, specifically amending article 14-18 (event venue) and deleting the entire text in the last paragraph of article 14-18.2 (structures and activities to be allowed). This amended portion of article 14-18.2 shall read: “*Large-Scale Outdoor Events that are open to the public are subject to the requirements of the Code of Ordinances of Madison County, Chapter 4, Large-Scale Outdoor Events.*”

Supervisor Hoffman made a motion to approve Case No. OA-01-22-7 as recommended by the Planning Commission, seconded by Supervisor Dawson. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***

INFORMATION/CORRESPONDENCE

The County Administrator advised the Board that the governor had declared a state of emergency in relation to the winter storm. Also informed them that the winter shelter is still open for people in need.

PUBLIC COMMENT

Chairman Jackson opened the floor to public comment. With there being no public comment being brought forward, the public comment opportunity was closed.

- *Chairman Jackson: Thanked Mike Mosko for his role as Chairman of the Planning Commission.*

CLOSED SESSION

ADJOURN

With there being no further business to conduct, Supervisor Hoffman made a motion to adjourn, seconded by Supervisor Yowell. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***